

Outlined below is Indiana's rigorous definition of developmental delay as required under §§303.10 and 303.111 and consistent with §§303.10 and 303.203.

- States may utilize screening procedures, as outlined in §303.320. Indiana evaluates all children referred to the program using the AEPS (Assessment, Evaluation, and Programming System for Infants and Children) or other approved tools.
- 470 IAC 3.1-7-1 (a-d) (<http://www.in.gov/legislative/iac/T04700/A00031.PDF>) and pages 12-13 of Indiana First Steps Assessment Team manual (http://www.in.gov/fssa/files/FS_Assessment_Team_manual_-_Revised.pdf) include Indiana's rigorous definition of developmental delay consistent with §§303.10 and 303.203(c) that is used by Indiana in carrying out programs under Part C of the Act in order to appropriately identify infants and toddlers with disabilities who are in need of services under Part C of the Act. The definition must-
 - (a) Pages 11-15 of First Steps Assessment Team manual (http://www.in.gov/fssa/files/FS_Assessment_Team_manual_-_Revised.pdf) clearly describes each area listed under §303.21(a)(1), pages 8-15 of the First Steps Assessment Team manual and 470 IAC 3.1-8-1, 470 IAC 3.1-8-2, 470 IAC 3.1-8-3, 470 IAC 3.1-8-4, 470 IAC 3.1-13-4, 470 IAC 3.1-1-19, describe the evaluation and assessment procedures, consistent with §303.321 that are used to measure a child's development.
 - (b) Pages 11-15 of First Steps Assessment Team manual (http://www.in.gov/fssa/files/FS_Assessment_Team_manual_-_Revised.pdf) and 470 IAC 3.1-7-1 (a-d) clearly specify the level of developmental delay in functioning or other comparable criteria that constitute a developmental delay in one or more of the developmental areas identified in §303.21(a)(1).
- In accordance with §§303.10, §303.111, and §303.21 (a)(1-2), **Indiana defines developmental delay as:**

Sec. 1. (a) Children from birth through two (2) years of age shall be considered eligible to receive early intervention services if they are experiencing developmental delays, as measured by appropriate diagnostic instruments and procedures, in one (1) or more of the following areas:

- (1) Cognitive development.
 - (2) Physical development, including vision and hearing.
 - (3) Communication development.
 - (4) Social or emotional development.
 - (5) Adaptive development.
- (b) When using standardized assessments or criterion-referenced measures to determine eligibility, a developmental delay is defined as:
- (1) a delay in one (1) or more areas of development as determined by:
 - (A) two (2) standard deviations below the mean; or
 - (B) twenty-five percent (25%) or more in function below the chronological age (adjusted for prematurity, if applicable) on an assessment instrument that yields scores in months; or
 - (2) a delay in two (2) or more areas of development as determined by:
 - (A) one and one-half (1½) standard deviation below the mean; or
 - (B) twenty percent (20%) or more in function below the chronological age (adjusted for prematurity, if applicable) on an assessment instrument that yields scores in months.
- (c) If, because of a child's age or the kind of standardized instruments available in specific domains, a standardized score is not appropriate or cannot be determined, a child may be determined to have a

developmental delay by the informed clinical opinion of a multidisciplinary team, which includes the parent and documentation from the child's primary health care provider.

(d) When relying on informed clinical opinion, developmental delay may be determined by a consensus of a multidisciplinary team, including the parent, as a member, using multiple sources of information including, at a minimum, the following:

(1) A developmental history as currently reported by the parent or primary caregiver.

(2) A review of pertinent records related to the child's current health status and medical history.

Consideration may be given for the following:

(A) Functional status.

(B) Recent rate of change.

(C) Prognosis for change in the near future based on anticipated medical or health factors.

(3) At least one (1) other assessment procedure to document delayed development, such as observational assessment or planned observation of a child's behaviors and parent-child interaction, or documentation of delayed development by use of non-standardized assessment devices, such as developmental checklists.